

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
EASTERN DIVISION

KENNETH HAWKINS,

Plaintiff,

vs.

Civil Action 2:13-cv-1164
Judge Frost
Magistrate Judge King

HONDA OF AMERICA MFG., INC.,

Defendant.

REPORT AND RECOMMENDATION

A status conference was scheduled in this case for January 8, 2015. Order, ECF 20. Plaintiff, who is proceeding without the assistance of counsel, was expressly advised that his failure to appear at the conference, either in person or through counsel, was likely to result in the dismissal of the action for failure to prosecute. *Id.*

Counsel for defendant personally appeared at the conference, but no appearance was made by or on behalf of plaintiff. It appears that plaintiff has abandoned the litigation.

It is therefore **RECOMMENDED** that this action be dismissed for want of prosecution.

If any party seeks review by the District Judge of this *Report and Recommendation*, that party may, within fourteen (14) days, file and serve on all parties objections to the *Report and Recommendation*, specifically designating this *Report and Recommendation*, and the part thereof in question, as well as the basis for objection thereto. 28

U.S.C. § 636(b)(1); Fed. R. Civ. P. 72(b). Response to objections must be filed within fourteen (14) days after being served with a copy thereof. Fed. R. Civ. P. 72(b).

The parties are specifically advised that the failure to object to the Report and Recommendation will result in a waiver of the right to *de novo* review by the District Judge and waiver of the right to appeal the judgment of the District Court. *See, e.g., Pfahler v. Nat'l Latex Prod. Co.*, 517 F.3d 816, 829 (6th Cir. 2007) (holding that "failure to object to the magistrate judge's recommendations constituted a waiver of [the defendant's] ability to appeal the district court's ruling"); *United States v. Sullivan*, 431 F.3d 976, 984 (6th Cir. 2005) (holding that defendant waived appeal of district court's denial of pretrial motion by failing to timely object to magistrate judge's report and recommendation). Even when timely objections are filed, appellate review of issues not raised in those objections is waived. *Robert v. Tesson*, 507 F.3d 981, 994 (6th Cir. 2007) ("[A] general objection to a magistrate judge's report, which fails to specify the issues of contention, does not suffice to preserve an issue for appeal") (citation omitted)).

s/ Norah McCann King
Norah McCann King
United States Magistrate Judge

Date: January 8, 2015